

Sep. 9. 2010 4:21PM

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PTO/SB/38 (07-09)

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Request to Retrieve Electronic Priority Application(s)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

COMPLETE IF KNOWN

| | |
|------------------------|---------------|
| Application Number | 10/772,803 |
| Filing Date | 02/05/2004 |
| First Named Inventor | Kuester |
| Art Unit | 1796 |
| Examiner Name | Cooney, J. M. |
| Attorney Docket Number | EU-50877/USW |

The undersigned hereby requests the USPTO retrieve an electronic copy of each of the following foreign applications for which priority has been claimed under 35 U.S.C. 119(a)-(d) from a foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement:

Please retrieve (check all that apply)

- ☒ From EPO, JPO, or KIPO (participating foreign intellectual property office) a priority application
 Column A. Participating office where application was originally filed
 Column B. Application number and filing date of the application
 From WIPO (participating foreign intellectual property office) a DAS registered priority application
 Column A. DAS Depositing Office where application was originally filed
 Column B. Application number and filing date of the application
☐ Copy of certified copy of non-participating office priority document from within a participating foreign intellectual property office application (EPO or JPO)
 Column A. Participating office where certified copy of priority document is located
 Column B. Application number and filing date of the EPO/JPO application
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| A Participating Office (e.g., EPO, JPO, KIPO) or DAS Depositing Office (e.g., IB) | B Application to be retrieved or application containing the non-participating priority application | | C Non-participating priority application to be retrieved | |
|---|---|---------------|--|----------|
| | App. No. | Filing Date | Country Code | App. No. |
| 1 EPO | 01890553.2 | Aug. 30, 2001 | | |
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This Request to Retrieve Electronic Priority Application(s) (Request) should be filed within the later of four months from the date of filing of the above-identified U.S. application claiming foreign priority, or sixteen months from the filing date of the foreign application to which priority is claimed.

This Request should be submitted concurrently with the claim for priority, or thereafter. The USPTO will not attempt to retrieve the identified priority application(s) until applicant indicates the identified priority application(s) on the oath or declaration or an application data sheet in compliance with 37 CFR 1.63(c).

Applicants are advised to consult Private PAIR (accessed through www.uspto.gov) to assure that the retrieval has been successful. The applicant remains ultimately responsible for the submission of the certified copy of the foreign application(s) within the period set forth in 37 CFR 1.55(a) (before the U.S. application issues as a patent) if the USPTO does not timely retrieve the identified priority application(s).

I hereby declare that I have the authority to grant access to the above-identified foreign application(s).


Signature

Robert A. Diaz

Printed or Typed Name

Patent Counsel

Title

Sept. 9, 2010

Date

281-719-4507

Telephone Number

55,109

Registration Number, if applicable

This collection of information is required by 37 CFR 1.65(d). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process an application). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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